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10/723,507	11/26/2003	Neil O'Connor	920673-95178	8999

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EXAMINER
PATEL, CHIRAG R

ART UNIT	PAPER NUMBER
2454	

NOTIFICATION DATE	DELIVERY MODE
06/23/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patent-ch@btlaw.com

	Application No.	Applicant(s)
Office Action Summary	10/723,507	O'CONNOR ET AL.
	Examiner	Art Unit
	CHIRAG R. PATEL	2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 March 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Arguments

Applicant's arguments filed March 30, 2010 have been fully considered but they are not persuasive.

Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Applicants argue that It is submitted that the interpretation of the claim which segmented it into "a contact information entity which is accessible across the network and which comprises information", and as a separate element "sufficient to enable each node to determine whether it has the resources to service the contact", does not provide a claim interpretation which meets the standard of being the broadest reasonable interpretation of the claims which is also consistent with the interpretation that those skilled in the art would reach (MPEP 2111). The division above is artificial and accordingly the claim as amended is re-worded to rule out such an interpretation. All of this happens within the network management unit and without the contact center being involved. The information in that database is not made available across the network. The individual contact centers therefore cannot "determine whether its agents can service a given contact, based on said contact information entity." The above features are also not taught by Taylor which is concerned only with auctioning the rights to carry telephone calls between competing carriers.

In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, examiner has relied upon the combined teachings of Delany and Taylor to address the claimed limitations. In response to applicant's response that the individual contact centers therefore cannot "determine whether its agents can service a given contact, based on said contact information entity.", examiner points to Delany discloses per [0013], "Preferably, each node is a contact centre having a plurality of agents for servicing contacts, each agent having identified skills which enable each contact centre to determine whether it can service a given contact" A review of Taylor reveals that one call centre (102) generates bid requests, which is the price of servicing the request per Col 4 line 6—Col 5 line 4, "The center 102 may construct a record or other database structure which indicates cost factors impacting the price of servicing the call. These factors may include, (i) telephone number to which the information should be faxed; (ii) length of information to be faxed; (iii) time restrictions concerning when the information must be faxed; and (iv) any other cost factors or required information deemed relevant by the system user. This information is termed herein a bid request record, or simply, a

bid request, and is transmitted to center 101 over telecommunications line 108, to Los

Angeles center 103 via telecommunications line 107, and to London center 104 via

telecommunications line 118.c" The Call Centers 103 and 104 generate the bid and

encloses the costs with the bid, as discussed in Col 3 lines 5-21. Examiner has

combined the teachings of Delany and Taylor.

Delany, also discloses a convention operation and discloses the call center

determines which agent should accept the call per [0110], " The SCCS 34 oversees and

manages the running of the contact centre 10, by instructing the PBX to transfer calls to

suitable agents based on skillsets (which may be determined by passing the call

through an IVR unit in the PBX), presenting agents with call information, and using the

teachings of the network of contact centres to be dynamically created and managed,

even where the contact centres are in fact independent entities to be combined in the

determination algorithm of Taylor to be used by the contact center to assign the contact

to the call center which issued the bid.

In response to applicant's arguments against the references individually, one

cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 6-15, 18-19 and 26-43 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Taylor et al.- hereinafter Taylor (US 5,790,642) in view of Delaney

(US 2004/0062380)

As per claims 1 and 41, Taylor discloses a method of distributing a contact

across a network having a number of nodes which are equipped to service contacts,

(Col 3 lines 41-49 Figure 1: items 101, 102, 103, 104) comprising the steps of:

a) generating a contact information entity (Col 4 line 60 – Col 5 line 4; bid

request) which is accessible across the network (Col 4 lines 10-24; these connections

may actually be implemented over the public switched telephone system (PSTN), which

may include satellite networks, fiber optic lines, radio links or other media) and which

comprises information sufficient to enable each node to determine whether it has the

resources to service the contact, (Col 4 line 60-Col 5 line 4; bid request)

b) assessing one or more bids issued by one or more nodes to determine a bid to

be used in assigning the contact; and (abstract, Col 8 line 61 – Col 9 line 6)

c) on the basis of said determination, assigning said contact to the node which

issued said bid. (abstract, Col 8 lines 61 – Col 9 line 6)

Taylor discloses one or more of said nodes being a contact center, whereby said

contact center can determine whether its agents can service a given contact based on

said contact information entity. (Col 5 lines 5-11)

Taylor fails to disclose one or more of said nodes being a contact center having a

plurality of agents for servicing contacts, each agent having identified skills, whereby

said contact center can determine whether its agents can service a given contact,

based on said contact information entity and the identified skills of the contact center's

agents

Delany discloses one or more of said nodes being a contact center having a

plurality of agents for servicing contacts, each agent having identified skills, whereby

said contact center can determine whether its agents can service a given contact,

based on the identified skills of the contact center's agents; ([0004], [0121]; the skillset

matrix for an individual agent at the contact centre)

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to modify Taylor to disclose one or more of said nodes being a

contact center having a plurality of agents for servicing contacts, each agent having

identified skills, whereby said contact center can determine whether its agents can

service a given contact, based on said contact information entity and the identified skills

of the contact center's agents. The motivation for doing do would have been to provide

a system and method of managing call centres which is more flexible in allowing calls to

be transferred between independent contact centres than is the case in systems and

methods known from the prior art. ([0018])

As per claims 6 and 26, Taylor / Delany disclose a method as claimed in claim 1.

Taylor discloses a method as claimed in claim 1, wherein said contact information entity

is an entry in a database (Col 4 line 60-Col 5 line 4)

As per claims 7 and 27, Taylor / Delany disclose a method as claimed in claim 1.

Taylor discloses wherein said bids are issued by the nodes and transmitted directly to a

resource on the network which is responsible for assessing the one or more bids. (Col

3 lines 5-20)

As per claims 8 and 28, Taylor / Delany disclose a method as claimed in claim 1.

Taylor discloses wherein said bids are issued by the nodes to an area of the network

which is accessible by a resource on the network which is responsible for assessing the

one or more bids. (Col 3 lines 5-20)

As per claims 9 and 29, Taylor / Delany disclose a method as claimed in claim 1.

Delany discloses wherein said contact information entity identifies at least one skillset

required to service the contact. ([0129]; skillset information associated with the call)

As per claims 10 and 30, Taylor / Delany disclose a method as claimed in claim

1. Taylor discloses wherein said contact information entity identifies at least one

parameter according to which bids will be assessed. (Col 9 line 66- Col 10 line 16)

As per claims 11 and 31, Taylor / Delany disclose a method as claimed in claim

10. Taylor discloses wherein said at least one parameter is selected from a cost metric,

a skillset proficiency metric, and a metric identifying the time within which the contact is

to be serviced. (Col 3 lines 5-20)

As per claims 12 and 32, Taylor / Delany disclose a method as claimed in claim

1. Taylor discloses wherein said contact information entity is a software entity which

includes a set of rules according to which a bid score is returned by the contact

information entity upon receipt of one or more bid values. (Col 5 lines 5-17, cost

equated as a bid score)

As per claims 13 and 33, Taylor / Delany disclose a method as claimed in claim

12. Taylor disclose wherein said step of assessing one or more bids comprises

evaluating the bid scores returned by the contact information entity. (Col 5 lines 18-28)

As per claim 14, Taylor / Delany discloses a method as claimed in claim 1 .

Taylor discloses wherein said contact information entity is a software entity which

includes executable logic according to which a bid score is returned by the contact

information entity upon receipt of one or more bid values. (Col 5 lines 5-17)

As per claim 15, Taylor / Delany disclose a method as claimed in claim 14.

Taylor discloses wherein the executable logic is provided as an object oriented

command pattern. (Col 3 lines 39-51)

As per claim 18, Taylor / Delany disclose a method as claim in claim 1. Taylor

discloses wherein one or more of said nodes is a computer of a user ([0019]; Figure 1:

item 14) connected to the network, ([0020]; whereby said user may make a

determination as to whether he or she has the skills to service said contact

and as to whether or not to issue a bid. ([0045]; Figure 5: items 504, 512)

As per claim 19, Taylor discloses a method of obtaining contacts across a network

from a contact source, comprising the steps, carried out by a contact center :

a) receiving via the network (Col 4 lines 10-24; these connections may actually

be implemented over the public switched telephone system (PSTN), which may include

satellite networks, fiber optic lines, radio links or other media) contact information which

comprises information sufficient to enable said contact center to determine whether it

has the resources to service the contact; (Col 4 line 60-Col 5 line 4; bid request)

b) issuing a bid to the contact source offering to service the contact based on said information; and (Col 7 lines 27-42; Col 8 lines 1-16)

c) in the event that the bid is successful, receiving the contact from the contact source. (abstract, Col 7 lines 43-48)

Taylor fails to disclose contact center having a plurality of agents for servicing contacts each agent having identified skills. Delany discloses contact center having a plurality of agents for servicing contacts each agent having identified skills. ([0121]; the skillset matrix for an individual agent at the contact centre) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Taylor to disclose contact center having a plurality of agents for servicing contacts each agent having identified skills. The motivation would have been to provide a system and method of managing call centres which is more flexible in allowing calls to be transferred between independent contact centres than is the case in systems and methods known from the prior art. ([0018])

As per claim 34, Delany discloses a method of distributing contacts across a network having a plurality of connected contact centres, comprising the steps of:

a) upon receipt of a contact by a contact centre, publishing information relating to the contact over the network; said contact information comprising information sufficient to enable each node to determine whether it has the resources to service the contact; (Col 4 line 60-Col 5 line 4; bid request)

b) awaiting one or more bids from remote contact centres offering to service the

contact; and (Col 8 lines 47-56)

c) determining from said bids a destination for the contact; and (abstract, Col 8

line 61 – Col 9 line 6)

d) forwarding the contact to said destination. (abstract, Col 8 line 61 – Col 9 line

6)

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to modify Taylor to disclose each contact center having a plurality

of agents for servicing contacts, each agent having identified skills. ([0121]; the skillset

matrix for an individual agent at the contact centre) The motivation would have been to

provide a system and method of managing call centres which is more flexible in allowing

calls to be transferred between independent contact centres than is the case in systems

and methods known from the prior art. ([0018])

As per claim 35, Taylor / Delany disclose a method as claimed in claim 34. Taylor

discloses wherein said destination is a remote contact centre which issued one or more

of said bids. (Col 4 lines 10-23)

As per claim 36, Taylor / Delany disclose a method as claimed in claim 34.

Taylor discloses wherein said destination is a local contact queue of the contact centre

which received the contact. (Col 10 lines 24-27)

As per claim 37, Taylor discloses an apparatus for distributing a contact across a network having a number of nodes which are equipped to service contacts, comprising:

a) a contact information generator for generating a contact information entity (Col 4 line 60 – Col 5 line 4; bid request) which is accessible across the network (Col 4 lines 10-24; these connections may actually be implemented over the public switched telephone system (PSTN), which may include satellite networks, fiber optic lines, radio links or other media) said contact information entity comprising information sufficient to enable each node to determine whether it has the resources to service the contact, one or more of said nodes being a contact center (Col 4 line 60 – Col 5 line 4, bid request)

b) a bid assessment module for assessing one or more bids issued by one or more nodes to determine a bid to be used in assigning the contact; and (abstract, Col 8 line 61 – Col 9 line 6)

c) contact assignment means for, on the basis of said determination, assigning said contact to the node which issued said bid. (abstract, Col 8 line 61 – Col 9 line 6)

Taylor discloses one or more of said nodes being a contact center, whereby said contact center can determine whether its agents can service a given contact based on said contact information entity. (Col 5 lines 5-11)

Taylor fails to disclose contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine

whether its agents can service a given contact, based on said contact information entity and the identified skills of the contact center's agents;

Delany discloses contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine whether its agents can service a given contact based on the identified skills of the contact center's agents ([0004], [0121]; the skillset matrix for an individual agent at the contact centre)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Taylor to disclose contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine whether its agents can service a given contact, based on said contact information entity and the identified skills of the contact center's agents. The motivation for doing do would have been to provide a system and method of managing call centres which is more flexible in allowing calls to be transferred between independent contact centres than is the case in systems and methods known from the prior art. ([0018])

As per claim 38, Taylor discloses an apparatus for obtaining contacts across a network from a contact source, comprising:

a) a network connection for receiving via the network contact information; (Col 4 lines 10-24; these connections may actually be implemented over the public switched telephone system (PSTN), which may include satellite networks, fiber optic lines, radio

links or other media) said contact information comprising information sufficient to enable

each node to determine whether it has the resources to service the contact; (Col 4 line

60 – Col 5 line 4, bid request)

b) an evaluation module for evaluating said contact information to

determine whether a node associated with said apparatus has the resources

to service the contact, (Col 5 lines 5-11) said node being a contact center (Col 3 lines

41-49 Figure 1: items 101, 102, 103, 104)

c) a bid generation unit for issuing a bid to the contact source offering to service

the contact based on said information. (abstract, Col 8 lines 61 – Col 9 line 6)

Taylor discloses one or more of said nodes being a contact center, whereby said

contact center can determine whether its agents can service a given contact based on

said contact information entity. (Col 5 lines 5-11)

Taylor fails to disclose contact center having a plurality of agents for servicing

contacts, each agent having identified skills whereby said evaluation module can

determine whether the agents of the contact center can service said contact, based on

said contact information entity and the identified skills of the contact center's agents.

Delany discloses contact center having a plurality of agents for servicing

contacts, each agent having identified skills whereby said evaluation module can

determine whether the agents of the contact center can service said contact, based on

the identified skills of the contact center's agents. ([0004], [0121]; the skillset matrix for

an individual agent at the contact centre)   At the time the invention was made, it

would have been obvious to a person of ordinary skill in the art to modify Taylor to

disclose contact center having a plurality of agents for servicing contacts, each agent

having identified skills whereby said evaluation module can determine whether the

agents of the contact center can service said contact, based on the identified skills of

the contact center's agents. The motivation for doing do would have been to provide a

system and method of managing call centres which is more flexible in allowing calls to

be transferred between independent contact centres than is the case in systems and

methods known from the prior art. ([0018])

As per claims 39 and 40, Taylor discloses a contact centre comprising:

a) a network connection for distributing contacts to one or more other

contact centres; (Col 4 lines 10-24; these connections may actually be implemented

over the public switched telephone system (PSTN), which may include satellite

networks, fiber optic lines, radio links or other media)

c) a contact information generator for generating a contact information

entity which is accessible across the network, (Col 4 lines 10-24; these connections

may actually be implemented over the public switched telephone system (PSTN), which

may include satellite networks, fiber optic lines, radio links or other media) said content

information entity comprising information sufficient to enable each node to determine

whether it has the resources to service a contact; (Col 4 line 60 – Col 5 line 4; bid

request)

d) a bid assessment module for assessing one or more bids issued by one or

more nodes to determine a bid to be used in assigning the contact; and (abstract, Col 8

line 61 – Col 9 line 6)

e) contact assignment means for, on the basis of said determination,

assigning said contact to the node which issued said bid. (abstract, Col 8 line 61 – Col

9 line 6)

Taylor fails to disclose b) a contact manager for controlling contacts received at

the contact centre from one or more communications networks and distributing said

contacts among a plurality of agents based on the requirements of the contact and

identified skills of the agents.

Delany discloses b) a contact manager for controlling contacts received at the

contact centre from one or more communications networks ([0108]; PBX) and

distributing said contacts among a plurality of agents based on the requirements of the

contact and identified skills of the agents; ([0104]; [0121]; the skillset matrix for an

individual agent at the contact centre)

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to modify Taylor to disclose b) a contact manager for controlling

contacts received at the contact centre from one or more communications networks and

distributing said contacts among a plurality of agents based on the requirements of the

contact and identified skills of the agents. The motivation for doing do would have been

to provide a system and method of managing call centres which is more flexible in

allowing calls to be transferred between independent contact centres than is the case in systems and methods known from the prior art. ([0018])

As per claim 42, Taylor discloses a non-transitory machine readable storage medium comprising a plurality of instructions which when executed by a computer associated with a contact centre are effective to cause said computer to:

a) generate a contact information entity which is accessible across the network, (Col 4 lines 10-24; these connections may actually be implemented over the public switched telephone system (PSTN), which may include satellite networks, fiber optic lines, radio links or other media) said contact information entity comprising information sufficient to enable each of a plurality of nodes to determine whether it has the resources to service the contact, (Col 4 line 60 – Col 5 line 4, bid request) one or more of said nodes being a contact center (Col 3 lines 41-49 Figure 1: items 101, 102, 103, 104)

b) issue a bid to the contact source offering to service the contact based on said information; and (Col 7 lines 27-42; Col 8 lines 1-16)

c) in the event that the bid is successful, receive the contact from the contact source. (abstract, Col 8 lines 61 – Col 9 line 6)

Taylor discloses one or more of said nodes being a contact center, whereby said contact center can determine whether its agents can service a given contact based on said contact information entity. (Col 5 lines 5-11)

Taylor fails to disclose a contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine whether its agents can service a given contact, based on said contact information entity and the identified skills of the contact center's agents;

Delany discloses one or more of said nodes being a contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine whether its agents can service a given contact, based on the identified skills of the contact center's agents; ([0004], [0121]; the skillset matrix for an individual agent at the contact centre)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Taylor to disclose a contact center having a plurality of agents for servicing contacts, each agent having identified skills, whereby said contact center can determine whether its agents can service a given contact, based on said contact information entity and the identified skills of the contact center's agents. The motivation for doing do would have been to provide a system and method of managing call centres which is more flexible in allowing calls to be transferred between independent contact centres than is the case in systems and methods known from the prior art. ([0018])

As per claim 43, Taylor discloses a data carrier comprising a non-transitory

machine-readable storage medium comprising a plurality of instructions, said

instructions comprising contact information and comprising:

a) information identifying a node which controls the contact; (Col 6 line 66 - Col 7

line 26)

b) information identifying one or more characteristics of the contact, said

information being sufficient to enable each node to determine whether it has the

resources to service the contact (Col 4 line 60 – Col 5 line 4, bid request)

c) information identifying one or more parameters for which bids are sought by

said node, such that a different node may bid to have control of the contact transferred

to it. (Col 4 line 60 – Col 5 line 4)

Taylor fails to disclose whereby said contact may be matched with an agent of a

contact center having identified skills to service said contact.

Delany discloses whereby said contact may be matched with an agent of a

contact center having identified skills to service said contact. ([0004], [0121]; the skillset

matrix for an individual agent at the contact centre.

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to modify Taylor to disclose whereby said contact may be

matched with an agent of a contact center having identified skills to service said contact.

The motivation for doing do would have been to provide a system and method of

managing call centres which is more flexible in allowing calls to be transferred between

independent contact centres than is the case in systems and methods known from the

prior art. ([0018])

Claims 3-4 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Taylor (US 5,790,642) / Delaney (US 2004/0062380) further in view of Rowstron

et al. – hereinafter Rowstron (US 6,751,619)

.

As per claims 3 and 20, Taylor / Delany disclose a method as claimed in claim 1.

Delany discloses wherein said contact information entity is a software object ([0158])

Delany fails to disclose a network accessible space. Rowstron discloses a network

accessible space. (Col 1 lines 58-63)   At the time the invention was made, it would

have been obvious to a person of ordinary skill in the art to modify Taylor to disclose a

network accessible space. The motivation would have been to fully anonymous

communication, multiple address-space-disjoint processes can access tuples in the

same way, and to enable time-disjoint processes to communicate seamlessly. (Col 2

lines 1-11).

As per claims 4 and 21, Taylor / Delany / Rowstron disclose a method as claimed

in claim 3. Rowstron discloses wherein said network accessible space is a shared

memory space, (Col 2 lines 26-33) optionally implemented using JavaSpaces™

technology (Col 2 lines 12-25)

Claims 5 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Delaney (US 2004/0062380) / Taylor (US 5,790,642) / Rowstron (US 6,751,619)

further in view of Robertson et al.—hereinafter Robertson (US 7,194,543)

As per claims 5 and 22, Taylor / Delany / Rowstron disclose a method as claimed

in claim 3. Taylor fails to disclose wherein the step of generating said contact

information entity further comprises replicating said object in a plurality of said shared

memory spaces. Robertson discloses wherein the step of generating said contact

information entity further comprises replicating said object in a plurality of said shared

memory spaces (Col 62 lines 21-64)   At the time the invention was made, it would

have been obvious to a person of ordinary skill in the art to modify Taylor to disclose

wherein the step of generating said contact information entity further comprises

replicating said object in a plurality of said shared memory spaces.   The motivation for

doing do would have been to balance resources to ensure that services are always

available to match the desired work to be done. (Col 1 lines 41-67)

As per claim 23, Taylor / Delany / Rowstron / Robertson disclose a method as

claimed in claim 22. Taylor fails to disclose wherein said contact information entity is a

JavaSpace entry and the step of receiving the contact information comprises reading said entries from a JavaSpace. Rowstron discloses wherein said contact information entity is a JavaSpace entry and the step of receiving the contact information comprises reading said entries from a JavaSpace. (Col 2 lines 32-67, Col 3 lines 51-55)   At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Taylor to disclose wherein said contact information entity is a JavaSpace entry and the step of receiving the contact information comprises reading said entries from a JavaSpace. The motivation for doing do would have been so that the creator of a tuple requires no knowledge about the future use of that tuple or its destination and because tuples are retrieved using an associative addressing scheme, multiple address-space-disjoint processes can access tuples in the same way. (Col 2 lines 54-65)

        As per claim 24, Taylor / Delany / Rowstron / Robertson disclose a method as claimed in claim 23.   Rowstron discloses wherein the step of issuing a bid comprises modifying said entry and writing the modified entry in a JavaSpace. (Col 7 lines 48-55)

        As per claim 25, Taylor / Delany / Rowstron / Robertson disclose a method as claimed in claim 23.   Taylor fails to disclose wherein the step of issuing a bid comprises generating a new entry including a reference which relates the new entry to the original contact information entity, and writing the new entry to a JavaSpace. Rowstron discloses wherein the step of issuing a bid comprises generating a new entry

including a reference which relates the new entry to the original contact information

entity, and writing the new entry to a JavaSpace. (Col 3 lines 51-55, Col 12 lines 6-16)

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to modify Taylor to disclose wherein the step of issuing a bid comprises

generating a new entry including a reference which relates the new entry to the original

contact information entity, and writing the new entry to a JavaSpace. The motivation for

doing do would have been to improve their efficiency of execution on large, open

implementations, particularly on distributed computer systems, so that users are not

unnecessarily blocked from accessing tuples. (Col 3 lines 6-11)

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor

(US 5,790,642) / Delaney (US 2004/0062380) further in view of Ausubel et al. –

hereinafter Ausubel (US 2004/0054551).

As per claim 16, Taylor / Delany disclose a method as claimed in claim 1.

Taylor discloses wherein said step of assessing one or more bids comprises

maintaining a single winning bid. (Col 3 lines 5-20) Taylor fails to disclose evaluating

each new bid as it issues from a node and either discarding the new bid if it is

determined to be inferior to the winning bid according to predetermined criteria or

substituting it as the new winning bid if it is determined to be better than the previous

winning bid. Ausubel discloses evaluating each new bid as it issues from a node and

either discarding the new bid if it is determined to be inferior to the winning bid

according to predetermined criteria or substituting it as the new winning bid if it is

determined to be better than the previous winning bid. ([0146])   At the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to

modify Taylor to disclose wherein said step of assessing one or more bids comprises

maintaining a single winning bid, evaluating each new bid as it issues from a node and

either discarding the new bid if it is determined to be inferior to the winning bid

according to predetermined criteria or substituting it as the new winning bid if it is

determined to be better than the previous winning bid. The motivation for doing would

have been to give one or more bidders should be given a "last call" to change their

flexible bid information. (Ausubel, [0146])

       Claims 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor

(US 5,790,642) / Delaney (US 2004/0062380) / Ausubel (US 2004/0054551) further in

view of Wu et al. – hereinafter Wu (US 7,269,253)

       As per claim 17, Taylor / Delany / Ausubel disclose a method as claimed in claim

16.   Taylor fails to disclose wherein said step of assessing one or more bids comprises

collecting all bids which issue within a timeout period and determining which of these

bids is to be used in assigning the contact. Wu discloses wherein said step of assessing

one or more bids comprises collecting all bids which issue within a timeout period and

determining which of these bids is to be used in assigning the contact. (Col 13 line 64-

Col 14 line 21)   At the time the invention was made, it would have been obvious to a

person of ordinary skill in the art to modify Taylor to disclose wherein said step of

assessing one or more bids comprises collecting all bids which issue within a timeout

period and determining which of these bids is to be used in assigning the contact. The

motivation would have been to economize and save time on the bidding process (Col

13 line 64-Col 14 line 21)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chirag R Patel whose telephone number is (571)272-

7966. The examiner can normally be reached on Monday to Friday from 8:00AM to

4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915.

The fax phone number for the organization where this application or proceeding

is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

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http://pairdirect.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll free).

        /C. R. P./
Examiner, Art Unit 2454

/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2454